

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN L. MILLER,

Plaintiff,

v.

COMMISSIONER OF THE STATE OF  
CALIFORNIA DEPARTMENT OF  
CORRECTIONS, et al.,

Defendants.

No. 1:21-cv-00176-DAD-BAM (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS AND DENYING  
MOTION FOR PRELIMINARY  
INJUNCTION

(Doc. Nos. 4, 12)

Plaintiff Kevin L. Miller is a state prisoner proceeding *pro se* and *in forma pauperis* in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On February 17, 2021, plaintiff filed a motion for permanent and preliminary injunctive relief. (Doc. No. 4.) On March 5, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff's motion for injunctive relief be denied. (Doc. No. 12.) The findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 4.) To date, no objections to the pending findings and recommendations have been filed, and the time in which to do so has now passed.

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1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a  
2 *de novo* review of this case. Having carefully reviewed the entire file, the court concludes that  
3 the magistrate judge's findings and recommendations are supported by the record and proper  
4 analysis.

5 Accordingly,

- 6 1. The findings and recommendations issued on March 5, 2021 (Doc. No. 12) are  
7 adopted in full;
- 8 2. Plaintiff's motion for a preliminary injunction (Doc. No. 4) is denied; and
- 9 3. This matter is referred back to the assigned magistrate judge for further  
10 proceedings consistent with this order.

11 IT IS SO ORDERED.

12 Dated: April 2, 2021

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15 UNITED STATES DISTRICT JUDGE  
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